

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

TIMOTHY M. CORDELL,
TDCJ-CID NO.1275439,
Plaintiff,

v.

JASON MARTIN, *et al.*,
Defendants.

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CIVIL ACTION NO. H-07-2496

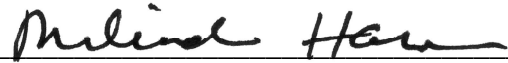
OPINION ON PARTIAL DISMISSAL

Plaintiff Timothy M. Cordell has filed a civil rights complaint pursuant to 42 U.S.C. § 1983, alleging that Sgt. Jason Martin used unnecessary and excessive force against him on August 28, 2005. (Docket Entry No.1). He also alleges that Executive Director Nathaniel Quarterman “ignored admonitions for justice and covered up the case.” (*Id.*). On December 16, 2010, a jury found in favor of defendant Jason Martin.

“Personal involvement is an essential element of a civil rights cause of action.” *Thompson v. Steele*, 709 F.2d 381 (5th Cir. 1983). Liability based on one’s supervisory capacity exists if the supervisor is personally involved in the constitutional deprivation or a sufficient causal connection exists between the supervisor’s wrongful conduct and the constitutional violation. *Thompkins v. Belt*, 828 F.2d 298, 304 (5th Cir. 1987). In this case, plaintiff alleges no facts that would give rise to a claim that Nathaniel Quarterman deprived him of any constitutional right. Therefore, to the extent that plaintiff seeks relief against Quarterman, such claims are DISMISSED pursuant to 28 U.S.C. § 1915A(b).

It is so ORDERED.

SIGNED at Houston, Texas, this 16th day of December, 2010.

A handwritten signature in black ink, appearing to read "Melinda Harmon", is written over a horizontal line.

MELINDA HARMON
UNITED STATES DISTRICT JUDGE